

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
NEWNAN DIVISION

IN RE: ) CHAPTER 13  
 )  
Conchitter Hightower Gardner, ) CASE NO.16-10063 WHD  
 )  
 )  
 )  
 )  
Debtor. )

**NOTICE OF FILING OF MODIFICATION OF CONFIRMED PLAN,  
DEADLINE FOR FILING WRITTEN OBJECTIONS,  
AND HEARING DATE AND TIME IF OBJECTION IS TIMELY FILED**

**TO: Creditors and Other Parties in Interest**

**PLEASE TAKE NOTICE** that Conchitter Hightower Gardner, the Debtor, has filed a proposed modification to the confirmed plan in this case, a copy of which modification you are receiving with this Notice or have received by mail. Pursuant to Rule 3015(g) of the Federal Rules of Bankruptcy Procedure, any creditor or other party in interest opposing this proposed Modification must file that objection in writing with the Court before the following deadline.

**DEADLINE FOR FILING OBJECTION:** Twenty-four (24) days after the date on which this proposed Modification was filed. The proposed modification was filed on December 11, 2017. If the twenty-fourth day after the filing falls on a week-end or holiday, the deadline is extended to the next business day.

**PLACE OF FILING:** Clerk, United States Bankruptcy Court  
Room 1340, United States Courthouse  
Richard B. Russell Building  
75 Ted Turner Drive, SW  
Atlanta, GA 30303-3367

If you mail an objection to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

You must also serve a copy on the undersigned at the address stated below and on the Debtor at:

**The Cochran Firm Bkr, LLP  
547 Ponce de Leon Avenue  
Suite 150  
Atlanta, GA 30308**

**Conchitter Hightower Gardner  
548 N. 3rd St.  
Griffin, GA 30223**

**PLEASE TAKE FURTHER NOTICE** that if an objection to the proposed Modification is timely filed, the Court will hold a hearing on the modification on **January 18, 2018 at 9:25 A.M.** 2<sup>nd</sup> Floor Courtroom, Lewis R. Morgan Federal Building, 18 Greenville Street, Newnan, GA. **If no objection is timely filed, the Court may approve the proposed modification without further notice or hearing.**

Dated: December 11, 2017

Respectfully submitted,

/s/ Nicole R. Stanton  
Nicole R. Stanton  
Attorney for the Debtor/Movant  
GA Bar No.: 329046  
The Cochran Firm Bkr, LLP  
547 Ponce de Leon Avenue  
Suite 150  
Atlanta, GA 30308  
(404) 800-6415  
Nicole.stanton@stantonandworthy.com

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**POST-CONFIRMATION MODIFICATION OF PLAN AND  
REQUEST FOR ITS APPROVAL AND APPLICATION FOR FEES**

COMES NOW Debtor, Conchitter Hightower Gardner, and moves this Honorable Court for the entry of an order modifying the Chapter 13 Plan post-confirmation. In support thereof the Debtor states as follows:

1.

Debtors filed a Voluntary Petition for Bankruptcy relief under Title 11, Chapter 13 of the United States Code on January 8, 2016.

2.

The Plan was confirmed on May 26, 2016.

3.

Debtors hereby modify paragraph 2 of the Chapter 13 Plan, to increase the payment to the Chapter 13 Trustee:

Current Chapter 13 Plan-paragraph 2:

2. **Plan Payments and Length of Plan.** Debtor will pay the sum of \$257.00 Monthly to Trustee by  Payroll Deduction(s) or by  Direct Payment(s) for the applicable commitment period of 36 months, unless all allowed claims in every class, other than long-term claims, are paid in full in a shorter period of time. The term of this Plan shall not exceed sixty (60) months. See 11 U.S.C. §§ 1325(b)(1)(B) and 1325(b)(4). Each pre-confirmation plan payment shall be reduced by any pre-confirmation adequate protection payment(s) made pursuant to Plan paragraph 6(A)(i) and § 1326(a)(1)(C).

The following alternative provision will apply if selected:

IF CHECKED, Plan payments will increase by \$\_\_ in month \_\_ upon completion or termination of \_\_.

**Debtor modifies the Chapter 13 Plan-paragraph 2:**

**2. Plan Payments and Length of Plan.** Debtor will pay the sum of \$335.00 Monthly to Trustee by  Payroll Deduction(s) or by  Direct Payment(s) for the applicable commitment period of 36 months, unless all allowed claims in every class, other than long-term claims, are paid in full in a shorter period of time. The term of this Plan shall not exceed sixty (60) months. *See 11 U.S.C. §§ 1325(b)(1)(B) and 1325(b)(4).* Each pre-confirmation plan payment shall be reduced by any pre-confirmation adequate protection payment(s) made pursuant to Plan paragraph 6(A)(i) and § 1326(a)(1)(C).

The following alternative provision will apply if selected:

IF CHECKED, Plan payments will increase by \$\_\_ in month \_\_ upon completion or termination of \_\_.

WHEREFORE Debtors pray:

- (a) that this "Post-Confirmation Modification of Plan and request for its Approval" be filed, read and considered;
- (b) that this Honorable Court grant this modification; and,
- (c) that this Honorable Court grants such other and further relief as it may deem just and proper.

Dated: December 11, 2017

Respectfully submitted,

/s/ Nicole R. Stanton  
Nicole R. Stanton  
Attorney for the Debtor/Movant  
GA Bar No.: 329046  
The Cochran Firm Bkr, LLP  
547 Ponce de Leon Avenue  
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Atlanta, GA 30308  
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**DECLARATION UNDER PENALTY OF PERJURY**

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

December 11, 2017

/s/ Conchitter Hightower Gardner  
Conchitter Hightower Gardner

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**CERTIFICATE OF SERVICE**

I hereby certify that I am more than 18 years of age and that I have this day served a copy of the within Post Confirmation Plan Modification upon the following by depositing a copy of the same in U.S. Mail with sufficient postage affixed thereon to ensure delivery:

Conchitter Hightower Gardner  
548 N. 3rd St.  
Griffin, GA 30223 (via hand delivery)

*[See attached Creditor Mailing Matrix]*

I further certify that, by agreement of parties, Melissa J. Davey, Standing Chapter 13 Trustee, was served via ECF.

Dated: December 11, 2017

Respectfully submitted,

/s/ Nicole R. Stanton  
Nicole R. Stanton  
Attorney for the Debtor/Movant  
GA Bar No.: 329046  
The Cochran Firm Bkr, LLP  
547 Ponce de Leon Avenue  
Suite 150  
Atlanta, GA 30308  
(404) 800-6415  
Nicole.stanton@stantonandworthy.com

**CREDITOR**

**1st Franklin**  
629 E North Expressway  
Griffin, GA 30223

**AmeriCredit Financial Services, Inc. dba GM Financ**  
P O Box 183853  
Arlington, TX 76096

**American InfoSource LP as agent for**  
Verizon  
PO Box 248838  
Oklahoma City, OK 73124-8838

**Ashley Funding Services, LLC of**  
Syndicated Office Systems, Inc.  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

**Central Finl Control**  
Po Box 66044  
Anaheim, CA 92816

**City Finance**  
112 N Hill St.  
Griffin, GA 30223

**Credit Coll**  
Po Box 9134  
Needham, MA 02494

**Enhanced Recovery Co L**  
8014 Bayberry Rd  
Jacksonville, FL 32256

**Georgia Department of Revenue**  
1800 Century Center Blvd., NE  
Atlanta, GA 30345

**Gm Financial**  
Po Box 181145  
Arlington, TX 76096

**I C System Inc**  
Po Box 64378  
Saint Paul, MN 55164

**Internal Revenue Service**  
Insolvency Unit  
401 W. Peachtree St NW

**CREDITOR**

Stop 335D  
Atlanta, GA 30308

Loan South  
917 E. 3rd Street  
Jackson, GA 30233

PRA Receivables Management, LLC as agent of  
Portfolio Recovery Associates, LLC  
POB 41067  
Norfolk, VA 23541

Security Fin  
Po Box 3146  
Spartanburg, SC 29304

Springleaf Financial S  
601 Nw 2nd St  
Evansville, IN 47708

Sunset Finance  
256 Keys Ferry St.  
McDonough, GA 30253

Unitbkzb  
685 Griffin St  
Zebulon, GA 30295

United Bank Mortgage Co.  
510 S 8th Street, PO Box 144  
Griffin, GA 30224

Verizon Wireless  
Po Box 49  
Lakeland, FL 33802